IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Original Jurisdiction

Dated: Nainital: the 19th day of October, 2006
Crl. Bail Application No. 957 of 2006

Order on the Bail Application:
CRIMINAL SIDE

Yogesh Kumar S/o Ratan Singh
R/o Village Pandao Kheri
P.S. Nauta, District Saharanpur.

…….. Applicant

Versus

State of Uttaranchal ……. Opposite Party

Arising out of Crime No. 29 of 2005
Under Sections: 420, 467, 468, 471 of I.P.C.
Police Station: Ranipur
District: Haridwar.

Hon'ble Prafulla C. Pant, J.

Heard, Mr. S.P.S. Panwar, Sr. Advocate and Mr. Ajay Veer Pundir, learned counsel for the applicant and Mr. Manoj, learned A.G.A for the State.

Applicant Yogesh Kumar, who is in jail in connection with crime No. 29 of 2005, relating to offences punishable under Section 420, 467, 468, 471 of I.P.C., P.S. Ranipur, District Haridwar, has sought his release on bail.

The allegation against the applicant is that he got recruited in the police department as Constable showing his forged certificate of date of birth. Learned counsel for the applicant argued that the applicant were six brothers and elder brother to Yogesh Kumar was Yogendra Kumar, whose date of birth was 14.04.1976. The date f birth of the applicant was shown on the record alleged by him was 04.04.1981. In this connection, it is contended that both the brothers have passed High School on different years from different Schools with the aforesaid dates of birth. It is further contended that Yogendra Kumar elder brother of the applicant had died in the year 1999. It is further submitted that unnecessary confusion is created in the matter, and there is no forgery committed by applicant.

Without expressing any opinion as to the final merits of the case, in the facts and circumstances of the case, it appears to be a fit case for bail.

Let the applicant Yogesh Kumar be released on bail on his executing a personal bond and furnishing two sureties each of the like amount to the satisfaction of the Chief Judicial Magistrate, Haridwar.

(Prafulla C. Pant, J.)

Dt. 19.10.2006
H.Negi